In the Claims:

Please amend the claims as follows:

1.   (canceled)

2.   (currently amended) A method, comprising: ~~according to claim 1~~
- determining in a communications device a maximum length of a silent period that is longer than predetermined regular intervals between upper-level scheduled silence-breaking transmissions transmitted over a telecommunications connection by a service that involves transmitting upper-level scheduled silence-breaking transmissions, and
- at a layer of a protocol stack governing communication over said telecommunication connection, observing the occurrence of silent periods and transmitting a dummy block over the telecommunication connection when the length of an observed silent period reaches said maximum length without an upper-level scheduled silence-breaking transmission or payload data having been transmitted, wherein said layer is lower in said protocol stack than layers that produce said upper-level scheduled silence-breaking transmissions,
wherein said determining a maximum length of a silent period comprises:
- classifying the telecommunication connection according to channel type and interleaving type in said communications device, and
- determining the maximum length of a silent period according to the classification of the telecommunication connection.

3.   (previously presented) A method according to claim 2, wherein said determining a maximum length of a silent period comprises:
- classifying the telecommunication connection into either a dedicated basic physical shared channel at full rate, or a dedicated basic physical shared channel at half rate,

and into either a 4 bursts rectangular interleaving type, an 8 bursts diagonal interleaving type or a 4 bursts diagonal interleaving type in said communications device, and

- determining the maximum length of a silent period according to the following rules:

    - for 4 bursts rectangular interleaving and dedicated basic physical shared channel at full rate, a maximum length of a silent period is a first number of time division multiple access frames, excluding slow associated control channel frames,

    - for 8 bursts diagonal interleaving and dedicated basic physical shared channel at full rate, a maximum length of a silent period is a second number of time division multiple access frames, excluding slow associated control channel frames,

    - for 4 bursts rectangular interleaving and dedicated basic physical shared channel at half rate and for 4 bursts diagonal interleaving and dedicated basic physical shared channel at half rate, a maximum length of a silent period is a third number of time division multiple access frames, excluding slow associated control channel frames.

4.   (previously presented) A method according to claim 3, wherein said first number is 44, said second number is 40, and said third number is 20.

5.   (currently amended) A method according to claim 2~~1~~, further comprising controlling in said communications device at least one of maximum length of an observed silent period before transmitting a dummy block and a number of dummy blocks sent after an observed silent period through a parameterised command from an upper layer in said protocol stack.

6.   (currently amended) An apparatus comprising:

a dummy block functionality configured to transmit dummy blocks from a communications device within a telecommunication connection according to rules, said dummy block functionality comprising a dummy block timing part configured to

determine a maximum length of a silent period that is longer than a predetermined regular interval between upper-level scheduled silence-breaking transmissions transmitted by a service that involves transmitting upper-level scheduled silence-breaking transmissions, and to trigger the transmission of a dummy block over the telecommunication connection when the length of an observed silent period reaches said maximum length without an upper-level scheduled silence-breaking transmission or payload data having been transmitted;

wherein the dummy block functionality comprises a layer of a protocol stack that is lower in said protocol stack than layers that produce said upper-level scheduled silence-breaking transmissions, and wherein said determining a maximum length of a silent period comprises classifying the telecommunication connection according to channel type and interleaving type in said communications device, and determining the maximum length of a silent period according to the classification of the telecommunication connection.

7. (previously presented) An apparatus according to claim 6, further comprising a signal codec configured to act as a source of information to be transmitted over the telecommunication connection, and also configured to transmit said upper-level scheduled silence-breaking transmissions at predetermined regular intervals during otherwise silent periods in a signal to be encoded in the signal codec.

8. (previously presented) An apparatus according to claim 6, wherein said dummy block functionality forms part of a module in said communications device for implementing Layer 1, 2 and 3 functionalities of a protocol stack governing communication over the telecommunication connection.

9. (currently amended) An apparatus comprising:

- means for transmitting dummy blocks from a communications device within a

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telecommunication connection according to rules, said means for transmitting comprising means for determining a maximum length of a silent period that is longer than a predetermined regular interval between upper-level scheduled silence-breaking transmissions transmitted by a service that involves transmitting upper-level scheduled silence-breaking transmissions, and means for triggering the transmission of a dummy block over the telecommunication connection when the length of an observed silent period reaches said maximum length without an upper-level scheduled silence-breaking transmission or payload data having been transmitted;

wherein said means for triggering the transmission of a dummy block over the telecommunication connection comprises a layer of a protocol stack that is lower in said protocol stack than layers that produce said upper-level scheduled silence-breaking transmissions, and wherein said determining a maximum length of a silent period comprises classifying the telecommunication connection according to channel type and interleaving type in said communications device, and determining the maximum length of a silent period according to the classification of the telecommunication connection.

10. (previously presented) An apparatus according to claim 9, further comprising a signal codec adapted to act as a source of information to be transmitted over the telecommunication connection, and also adapted to transmit said upper-level scheduled silence-breaking transmissions at predetermined regular intervals during otherwise silent periods in a signal to be encoded in the signal codec.

11. (previously presented) An apparatus according to claim 9, wherein said means for transmitting dummy blocks forms part of a means in said communications device for implementing Layer 1, 2 and 3 functionalities of a protocol stack governing communication over the telecommunication connection.

12.   (currently amended) A computer-readable medium comprising software instructions stored therein that, when executed on a processor, are configured to make the processor

- determine a maximum length of a silent period that is longer than predetermined regular intervals between upper-level scheduled silence-breaking transmissions transmitted by a service that involves transmitting upper-level scheduled silence-breaking transmissions, and

- at a layer of a protocol stack governing communication over a telecommunication connection, observe the occurrence of silent periods and transmit a dummy block over the telecommunication connection when the length of an observed silent period reaches said maximum length without an upper-level scheduled silence-breaking transmission or payload data having been transmitted, wherein said layer is lower in said protocol stack than layers that produce said upper-level scheduled silence-breaking transmissions;

wherein said determining a maximum length of a silent period comprises classifying the telecommunication connection according to channel type and interleaving type in said communications device, and determining the maximum length of a silent period according to the classification of the telecommunication connection.